

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

MOBILE BAYKEEPER, INC.,

Plaintiff,

V.

ALABAMA POWER COMPANY,

Defendant.

Case No.: 1:22-cv-00382-KD-B

## NOTICE OF APPEAL

PLEASE TAKE NOTICE that Plaintiff Mobile Baykeeper (“Baykeeper”) hereby appeals to the United States Court of Appeals for the Eleventh Circuit from this Court’s Order (Doc. 108) and Judgment (Doc. 109) granting Defendant Alabama Power Company’s Motion to Dismiss and dismissing Baykeeper’s action without prejudice, and this Court’s Order (Doc. 116) denying Baykeeper’s Motion to Reconsider.

Respectfully submitted this 20th day of August 2024.

s/ Barry A. Brock

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Barry A. Brock

*One of the Attorneys for Plaintiffs*

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**CERTIFICATE OF SERVICE**

I hereby certify that, on August 20, 2024, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of the filing to all counsel of record.

s/ Barry A. Brock  
Barry A. Brock  
*One of the Attorneys for Plaintiffs*